

P027.03 - Application No. 10/665,882
Reply to Examiner's Answer mailed July 5, 2007

page 7
August 6, 2007

REMARKS

Applicant thanks the Examiner for his thoughtful review of the application as set forth in the Examiner's Answer mailed July 5, 2007. The Applicant notes with appreciation that Claims 11, 19 – 21, and 26 are allowable. The amendments to the specification and the claims are described below in the Present Amendment. The status of the present application is as follows: (a) Claims 11, 19 - 21, 26, and 29 - 31 are Pending; (b) Claims 11, 19 - 21, and 26 have been Amended herein to overcome the Examiner's Objections to those claims as being dependent upon a rejected base claim; (c) Claims 29 – 30 have been Amended herein to depend from independent Claim 11; and (d) Claims 1 – 10, 12 – 18, 22 – 25, and 27 – 28 have been Cancelled herein.

i. PRESENT AMENDMENT

a. Dependent Claim 11 was amended into independent form to include the limitations of cancelled independent Claim 1 and cancelled dependent Claim 5. Dependent Claims 19 was amended into independent form to include the limitations of cancelled independent Claim 1. Dependent Claims 20 – 21 depend from amended Claim 19 and inherit all of its limitations and therefore were not amended herein. Dependent Claim 26 was amended into independent form to include the limitations of cancelled independent Claim 1. Dependent Claims 29 - 30 have been amended to depend from now independent Claim 11 and have been amended for appropriate antecedent basis.

b. Paragraph [0001] of the Specification was amended herein to disclaim domestic priority to Application No. 10/330,512 and to delete the Continuation-In-Part (CIP) designation of the present application because the subject matter recited in allowed Claims 11, 19 – 21, and 26 is not common to both the present application and Application No. 10/330,512. A Supplemental Application Data Sheet (SADS) will be submitted along with this reply to delete the CIP designation and to delete the claim of domestic priority to Application No. 10/330,512. The SADS will also amend the

P027.03 - Application No. 10/665,882
Reply to Examiner's Answer mailed July 5, 2007

page 8
August 6, 2007

Attorney Docket Number to P027.03. Furthermore, Application No. 10/330,512 was added to the related applications section of Paragraph [0001]. No new matter was introduced by the amendments to the specification and the claims.

ii. **INTERVIEW SUMMARY UNDER 37 C.F.R. §1.133 AND MPEP §713.04**

A telephonic interview with Examiner William F. Kraig, Attorney Morgan Malino, and Attorney Trueman Denny was held on Friday, August 3, 2007. In that interview, Examiner Kraig concluded a reply under 37 C.F.R. §41.33 would be responsive to the Examiner's Answer mailed July 5, 2007. Examiner Kraig and Applicant agreed that the reply under 37 C.F.R. §41.33 should be faxed to the USPTO Central Fax Number (571-273-8300) and that the reply would be considered timely filed if received on Monday, August 6, 2007, which would also be the last day a Rebuttal Brief could be timely filed under 37 C.F.R. §41.71.

Examiner Kraig also agreed that if the subject matter recited in objected to Claims 11, 19 – 21, and 26 was no longer supported by its parent application then amending the Specification to disclaim domestic priority and to delete the Continuation-In-Part designation would be appropriate.

Finally, Examiner Kraig indicated that MPEP § 1206 states, "If the examiner determines that an amendment clearly places the application in condition for allowance, the examiner may enter the amendment and allow the application."

iii. **DISCUSSION**

Rejection of Claims 1 – 31 under 35 U.S.C. § 102(e) (U.S. 6,759,249 to Zhuang)

a. The rejections of Claims 1 – 10, 12 – 18, 22 – 25, and 27 – 28 in view of the cited sections of Zhuang are mooted by the cancellation of those claims.

P027.03 - Application No. 10/665,882
Reply to Examiner's Answer mailed July 5, 2007

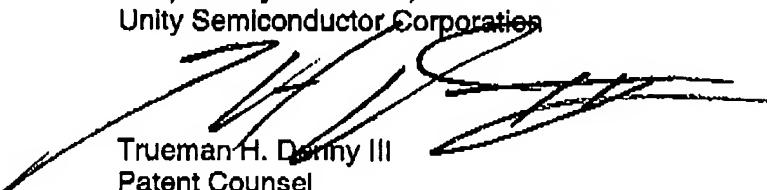
page 9
August 6, 2007

b. As amended herein, **Claims 11, 19 – 21, and 26 are not anticipated under 35 U.S.C. § 102(e)** in view of the cited sections of *Zhuang* because all of the claim limitations are not explicitly or inherently disclosed in the cited sections of *Zhuang*. Therefore, **Claims 11, 19 – 21, and 26 are patentably distinct and non-obvious** in view of the cited sections of *Zhuang* and the rejection of **Claims 11, 19 – 21, and 26** ought to now be withdrawn. Consequently, **Claims 11, 19 – 21, and 26** ought to now be allowed. Although not discussed with the Examiner, **Claims 29 – 31**, which now depend from independent **Claim 11**, are patentably distinct and non-obvious in view of the cited sections of *Zhuang* and are allowable for at least the same reasons set forth above for **Claim 11**.

iv. **CONCLUSION**

Applicant now believes the present case to be in condition for allowance, and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application the undersigned can be reached at (408) 737-7200 x124.

Respectfully submitted,
Unity Semiconductor Corporation


Trueman H. Denby III
Patent Counsel
Reg. No. 44,652

250 North Wolfe Road
Sunnyvale, CA 94085-4510